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Docket No.: KOH-0210
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Minoru SUGIHARA et al.

Application No.: 10/553,197

Confirmation No.: 1249

Filed: October 13, 2005

Art Unit: 1772

For: ELASTIC FLOOR MAT

Examiner: A. S. Thomas

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed June 22, 2007 (Paper No. 20070614), Applicant hereby provisionally elects with traverse, Species B, elastic mat structure, directed to claims 6-9, for continued examination.

Please note that Applicant reserves the right to file divisional applications covering the subject matter of the non-elected claims. Applicant also reserves the right to rejoin any applicable non-elected claims.

Applicant traverses the Restriction Requirement since the examination of the claims of Species A and B poses no undue burden on the Examiner. Under §803 of the Manual of Patent Examining Procedure, if the search and examination of an entire application can be made without serious burden, the Examiner **must examine it on the merits, even though it includes claims to independent or distinct species**. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden (see MPEP §803 in which it is stated that "*if the search and examination of an entire application can be made without serious burden, the*